

DIST/OFFICE	DOCKET		FILING DATE			J		N/S		O	R	R 23	\$	DEMAND		JUDGE NUMBER	JURY DEM.	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR									OTHER	YR.			NUMBER	
1085/4	75	0454	09	29	75	3	850	5	1:2				880			8510		75	0454-C

PLAINTIFFS

(Transf. from Dist. 208, Off. 1)

DEFENDANTS

WERTHEIM & CO., et al.  
(See attached page for  
full caption per amended  
compl. of 9-18-75)

CODDING EMBRYOLOGICAL SCIENCES,  
INC., CODDING CATTLE RESEARCH,  
DONALD K. CODDING and  
CHARLES H. CODDING.

CAUSE

Stockholder suit pursuant to SEC Act of 1934.  
Pltf. NY Firm and Defts. of OK.  
Pltf. seeks to permanently enjoin Defts.

ATTORNEYS

Victor Muskin  
Stephen R. Steinberg  
REAVIS & McGRATH  
345 Park Ave.  
New York, New York 10022  
212-269-7600  
*Dora Roberts*  
Deryl L. Gotcher *583-1115*  
JONES, GIVENS, BRETT, GOTCHER,  
DOYLE & BOGAN, INC.  
201 West 5th Street  
Tulsa, Oklahoma 74103

Frederic Nathan  
GREENBAUM, WOLFF & ERNST  
437 Madison Avenue  
New York, New York 10022  
(212)758-4010  
Gene L. Mortensen, J. Douglas Mann  
ROSENSTEIN, FIST & RINGOLD  
525 South Main Street  
Suite 300  
Tulsa, OK 74103

~~Gary M. McDonald (Coddington Emb. Sci.)~~  
~~R. Dobie Langenkamp~~  
~~1200 Atlas Life Building~~  
~~Tulsa, OK 74103~~

*See letter of 11-9-78*

☐ CHECK  
HERE  
IF CASE WAS  
FILED IN  
FORMA  
PAUPERIS

FILING FEES PAID

DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED  
JS-5 10-1-75  
JS-6 6-1-78

DATE	NR.	PROCEEDINGS
9-29-75	1.	Transcript of case from U.S. Dist. Court, So. Dist. of New York, filed including order of transfer, filed. v
9-29-75	2.	cc of Docket Sheet, filed. v
10-7-75	3.	Entry of Appearance (letter), filed. lm
10-14-75	4.	Affidavit Mary Ellen Giordano of mailing Amended Compl., filed. v
10-14-75	5.	Answer of defts. Donald K. and Charles H. Coddington, individually & d/b/a Coddington Cattle Research, filed.k
10-20-75	6.	Appl. of deft. Coddington Emb. Sciences, Inc., for time to ans. compl. & amended compl., filed.k
10-20-75	7.	Order, filed, granting deft. Coddington time til 11-4-75 to ans. compl. & amended compl. (JCS-Clk)k <i>ops by counsel</i>
11-26	8.	Defts' Interrogs. to Pltf., filed. lm
12-3	MO:	Case set for pre-trial hearing 2-3-76 at 3:45 p.m. (HDC-J)hm
12-15	9.	Joint applic. to strike case from PT docket, filed. hm
12-18		Order (part of appl.) striking case from PT docket, filed. (HDC-J)g <i>md</i>
1-13-76	10.	Defts' mo/compel discovery, filed. hm
1-13	MO:	Ordered that pltfs. file a responsive brief within 10 days to the defts' mo/compel discovery. (HDC-J)hm
1-26	11	Response to Defts' Mot. to Compel Discovery, filed.t
1-26	12	Brf. in support of Response to Defts' Mot. to compel discovery, filed.t
2-5	13	Show Cause Order, filed, directing pltfs. to appear 2-13-76 at 10 a.m. to show cause why case should not be dismissed. (HDC-J)g cp. mld.
2-13	MO:	Hearing to show cause as to why Pltfs. should not be dismissed for failure to serve answers or objections to interrogs. held. Statements made. Affidavit of Dora Roberts along w/response to show cause order & brief in support filed in open Ct. Also, ans. to interrogs. of 12 pltfs. filed in open Ct. Pltf. given until 2-20 to complete responses to interrogs. Defts' mo. to compel sustained. (HDC-J)ph
2-13	14.	Affidavit of Dora S. Roberts, filed. ph
2-13	15.	Pltfs' response to show cause order, filed. ph
2-13	16.	Brief in support of Pltfs' response to show cause order, filed. ph
2-13	17.	Ans. of Pltf. Mildred Hilson to interrogs. submitted to the Pltfs. by defts., filed. ph
2-13	18.	Ans. of pltf. John S. Hilson to interrogs. submitted to the Pltfs. by defts., filed. ph
2-13	19.	Ans. of pltf. Arne Fuglestad to interrogs. submitted to the Pltfs. by defts., filed. ph
2-13	20.	Ans. of pltf. Robert Bach to interrogs. submitted to the Pltfs. by defts., filed. ph
2-13	21.	Ans. of pltf. Ellen G. Hirsch to interrogs. submitted to the Pltfs. by defts., filed. ph
2-13	22.	Ans. of Pltf. Alan D. Cohn to interrogs. submitted to the Pltfs. by defts., filed. ph
2-13	23.	Ans. of Pltf. John Klingenstein, Trustee, to interrogs. submitted to the Pltfs. by defts., filed. ph

(Cont)

WERTHEIM &amp; CO.

CIV  
PI

John W. Hanes, Jr.

~~LUCY D. HANES~~, CUSTODIAN FOR  
JOHN HANES, IIIJOHN W. HANES, JR.,  
~~LUCY D. HANES~~, CUSTODIAN FOR  
CAROL M. HANESJOHN W. HANES, JR.,  
~~LUCY D. HANES~~, CUSTODIAN FOR  
LINDSAY HANESJOHN W. HANES, JR.  
~~LUCY D. HANES~~, CUSTODIAN FOR  
LUCY P. HANES

ELLEN G. HIRSCH

ALAN D. COHEN

BURMANESE TRUST NO. 2,  
H.F. MANWEILER TRUSTEE

MILDRED HILSON

JOHN S. HILSON

LEONARD M. LEIMAN

PAUL F. BALSAR

ROBERT BACH

ARNE FUGLESTAD

PETER J. REPETTI

LEONARD M. LEIMAN, TRUSTEE FOR  
- ANNE F. COWETT UTD 5/7/57LEONARD M. LEIMAN, TRUSTEE FOR  
FREDERICK D. COWETT UTD 11/1/55  
JOHN W. HANES, JR., a co-Executor of  
the Estate of LUCY D. HANES,  
~~LUCY D. HANES~~ Deceased

LAWRENCE B. MORRIS, JR.

LAWRENCE B. MORRIS, III

BETTY ANN MORRIS

LAWRENCE B. MORRIS, JR., TRUSTEE FOR  
MICHELE H. MORRIS

LAWRENCE B. MORRIS, JR., TRUSTEE FOR

ANNE TOD MORRIS  
FREDERICK A. KLINGENSTEIN, co-Executor of the  
Estate of ESTHER A. KLINGENSTEIN, DECEASED  
~~ESTHER A. KLINGENSTEIN~~~~JOSEPH KLINGENSTEIN~~ FREDERICK A. KLINGENSTEIN, executor of estate of Joseph A. Kligenstein, deceased.  
FREDERICK A. KLINGENSTEIN, TRUSTEE FOR  
KATHY ANNE KLINGENSTEINFREDERICK A. KLINGENSTEIN, TRUSTEE FOR  
SUSAN JANE KLINGENSTEINFREDERICK A. KLINGENSTEIN, TRUSTEE FOR  
AMY JO KLINGENSTEINFREDERICK A. KLINGENSTEIN, TRUSTEE FOR  
LUCY LOWE KLINGENSTEINJOHN KLINGENSTEIN, TRUSTEE FOR  
THOMAS DAVIS KLINGENSTEINJOHN KLINGENSTEIN, TRUSTEE FOR  
NANCY DAVIS KLINGENSTEINJOHN KLINGENSTEIN, TRUSTEE FOR  
ANDREW DAVIS KLINGENSTEINJOHN KLINGENSTEIN, TRUSTEE FOR  
SARAH DAVIS KLINGENSTEIN, and

WILBUR COWETT,

Plaintiffs,

-against-

CODDING EMBRYOLOGICAL SCIENCES, INC.,  
CODDING CATTLE RESEARCH, DONALD K.  
CODDING and CHARLES H. CODDING,

Defendants.

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF Wertheim & Co., et al.		DEFENDANT Coddington Embryological Sciences Inc., et al.	DOCKET NO. <u>75-C-454</u> PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
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COOK

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>75-C-454</u>
Wertheim & Co., et al	Coddington Embryological Sciences et al	PAGE <u>3</u> OF <u>2</u> PAGES

DATE	NR.	PROCEEDINGS
2-13	24.	Ans. of Pltf. Wilbur Cowett to interrogs. submitted to the Pltfs by defts, filed. ph
2-13	25.	Ans. of Pltf. Frederick A. Klingenstein, Trustee, to interrogs. submitted to the Pltfs. by defts., filed. ph
2-13	26.	Ans. of Pltf. Leonard Leiman to Interrogs. submitted to the Pltfs. by defts., filed. ph
2-13	27.	Ans. of Pltf. Paul F. Balser to interrogs. submitted to the Pltfs. by defts, filed. ph
2-13	28.	Ans. of Pltf. Wertheim & Co. to interrogs. submitted to the Pltfs. by defts, filed. ph
2-18	28A.	Ans. of Betty Ann Morris to defts' interrog. filed. hm
2-18	29.	Ans. of Pltf. Lawrence B. Morris, Jr. to interrogs. submitted to the Pltfs. by defts., filed. ph
2-18	29A.	Ans. of Peter J. Repetti to defts' interrog., filed. hm
2-19	MO:	Case set for PT hearing on 4-15-76 at 4:15 p.m. (HDC-J)ph
2-19	30.	Answers of pltf. H. F. Manweiler, Tr., to interrog. by defts., filed. rm
2-19	31.	Answers of pltf. J. Klingenstein, to interrog. by defts., filed. rm
2-19	32.	Answers of pltf. L. B. Morris III, to interrog. by defts., filed. rm
2-20	33.	Application for Extension of Time in which to File Answers to Interrogatories of Lucy D. Hanes, filed. t 0-J
2-20-	34.	Ans. to Interrog. of Pltf. Esther A. Klingenstein, filed. t
2-20	35.	Order, filed, granting pltf. Lucy D. Hanes until 3-22-76 to file ans. to interrogs. (HDC-J)lm <i>copies transmitted defendant</i>
3-16	36.	Pltfs' applic. for ext. of time in which to file ans. to interrog. of Lucy D. Hanes, filed. hm
3-16	37.	Order, filed, granting pltf. Hanes until 4-21-76 to file ans. to interrog. (HDC-J)hm
4-9	38.	Defts' request to file amended ans. and counterclaim, filed. ph <i>otoj</i>
4-15	MO:	Pre-trial hearing held. Statements made. Victor P. Muskin admitted for purposes of this case. Pltf. granted until 4-29-76 to respond to req. to file amended ans. & counterclaim. Deft. to file brief by 7-1-76; pltf. to file reply brief 15 days thereafter. Pltf. to file PT order within 5 days and case set for non-jury trial 8-2-76 at 9:30 a.m. (EST-3 to 5 days)(HDC-J)hm
4-19	39.	Pltf's appl. for ext. of time in which to file ans. brief in oppos. to appl. to amend ans., filed. ph <i>otoj</i>
4-19	40.	Order, filed, granting pltfs. until 4-29-76 to file ans. brief in oppos. to appl. to amend answer, (HDC-J)ph cps mld
4-21	41.	Pltf's appl. for ext. of time in which to file ans. to interrogs. of Lucy D. Hanes, filed. ph <i>otoj</i>
4-22	42.	Order, granting Lucy D. Hanes until 6-20-76 to ans. interrogs. (HDC-J)ph cps mld
4-22	43.	Pre-Trial Order, filed. (HDC-J)ph cps mld
4-29	44.	Pltfs' brief in resp. to defts. request to file amended ans. & counterclaim, filed. ph
5-25	45.	Order, filed, granting deft's request to file amended ans. and counterclaim and Wertheim is given 10 days in which to file ans. to amended counterclaim. (HDC-J)ph cps mld

## COOK

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-454</u>
Wertheim & Co., et al		Coddington Embryological Sciences Inc., et al	PAGE ____ OF ____ PAGES
DATE 1976	NR.	PROCEEDINGS	
5-25	46.	Amended Answer and Counterclaim of defts., filed. ph	
6-4	47.	Wertheim & Co's reply to counterclaim, filed. ph	
6-23	47A.	Applic. for ext. to file ans. to interrog. of Hanes, filed. hm	
6-24	48.	Order, filed, granting pltf. Lucy D. Hanes until 7-23-76 to file ans. to interrog. (HDC-J)hm (copies mailed)	
7-1	49.	Appl. of defts. for ext. of time to file defts' trial brief, filed. ph	
7-2	50.	Order, filed that defts., Charles H. Coddington, Donald K. Coddington and Coddington Cattle Research are granted until 7-9-76 to file their trial briefs.	
7-9	51.	Def's. trial brief, filed. rm	
7-20	52.	Def'ts' appl. for a continuance of trial date, filed. ph <i>otw g</i>	
7-21	53.	Order, filed, denying defts. motion for continuance of trial. (HDC-J)rm copies mailed	
7-23	54.	Pltf's request to strike case from docket, filed. ph	
7-23	55.	Order, filed, striking case from N/J docket of 8-2-76, to be reset. (HDC-J)ph cps mld	
7-26	56.	Appl. for ext. of time to file pltf's trial brief, filed. ph	
7-26	57.	Order, filed, granting pltf's. until 8-10-76 to file their trial brief (HDC-J)ph cps mld	
8-6-7	58.	Pltf's pre-trial memorandum, filed. hm	
8-9	MO:	Case set for N/J trial 11-15-76 at 9:30 a.m. (HDC-J)hm (notices mailed)	
9-20		Deposition of Paul Balser, on behalf of def., taken on 4/13/76 in Tulsa, filed. (M-Ballard-CR)rm	
11-1	--	Deposition of Charles K. Vincent, filed. (J.E. Stjernholm)ph	
11-1	--	Deposition of Jerry R. Berryman, filed. (J.E. Stjernholm-CR)ph	
11-4	--	Deposition of John Maker, filed. (Sue Myers - CR)rm	
11-5	59	Pltf's amendment to PT order, filed.s	
11-10		Deposition of John W. Hanes, Jr. taken on behalf of defts. on 4-23-76 at New York, NY, before Wm. Blitz, C.S.R., filed.k	
11-10		Deposition of Sidney L. Lida, taken on behalf of pltf's. on 8-24-76 at Kansas City, MO, before Dorothy C. Parker, C.S.R., filed.k	
11-12		Deposition of Donald Coddington, taken on behalf of pltf. on 4/30 and 5/1/75 filed. (F. L. Peterson-CSR)(\$316.50 pd by pltf)rm	
11-12		Deposition of Charles Coddington, on behalf of pltf., taken 4/29/76, filed. (F. L. Peterson-CSR)(\$190.50 pd by pltf.)rm	
11-12		Exhibits to deposition of Charles & Donald Coddington, filed. rm	
11-12	60.	Amendment to ans. of pltf. Wilbur A. Cowett to defts' interros., filed. ph	
11-12	61.	Amendment to ans. of pltf. Frederick A. Klingenstein, Trustee, to Defts' interros., filed. ph	
11-12		Deposition of Donald Sandford Elliott taken on 10-22-76 in Gering, Nebraska before Donna L. Siemsen, Court Reporter, filed. hm	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. 75-C-454-C
Wertheim & Co., et al 1976	Codding Embryological Sciences, et al	PAGE 4 OF ____ PAGES

DATE	NR.	PROCEEDINGS
11-15	MO:	Case called for non-jury trial. Parties represented and announce ready. Case passed to Tuesday, 11-16-76 at 11:00 a.m. (HDC-J)hm
11-15	--	Continuation of deposition of Don Codding on 11-1-76, filed. (D.R. Lindquist-CSR and Evelyn E. Rutherford-CSR)ph \$199.50 pd by pltf.
11-16		Subpoena, ret. & filed: served John Maker 11-9-76. (USM \$27.72)g
11-19	62.	Notice of death of pltf., Joseph A. Klingenstein, filed. ph
11-19	63.	Pltf's motion for substitution of parties, filed. ph o to g
11-19	MO:	Case tried to the Court Nov. 16,17,18&19. Opening statements made, w/showing of a film by deft. Pltf. presents case in chief w/test. of witnesses & introduction of exhibits. Deft. introduces exhibits. Pltf. to submit authorities in regard to offer of pltf's exhibits 43,44&45 by 11-29; deft. to respond by 12-1. Court reserves ruling on admission of said exhibits. Pltf. offers depositions of Sidney L. Lida, Charles K. Vincent & Donald Sandford Elliott. Deft. given until 11-22 to file objections to said offer & pltf. given until 11-23 to respond. Deft. states objections to substitution of party pltf. for Ester Klingenstein. Court takes pltf's mo/substitution of parties under advisement & parties to submit briefs on question. Trial continued until 12-2-76 at 9:30 a.m. (HDC-J)hm
11-19		Trial exhibits, filed. (in exhibit room in box)hm
11-22	64.	Defts' obj. to the offer of the testimony of Donald Sandford Elliott by deposition, filed. ph
11-22	65.	Defts' obj. to offer of testimony of Sidney L. Lida by depos., filed.ph
11-22	66.	Defts' obj. to offer of testimony of Charles K. Vincent by depos., filed. ph
11-24	67.	Brief on judicial notice, filed by pltfs. rm
11-24	68.	Req. by pltf. for ext. of time to respond to defs. objs. to testimony offered by depositions, filed. rm o
11-29	69.	Pltfs' brief in support of appl. to substitute parties pltf., filed. ph
11-29	70.	Pltfs' resp. to defts' obj. to portions of deposition of Charles K. Vincent, filed. ph
11-29	71.	Pltfs' resp. to defts' obj. to portions of deposition of Sidney L. Lida, filed. ph
11-29	72.	Pltfs' resp. to defts' obj. to portions of deposition of Donald S. Elliott, filed. ph
11-30	73.	Order Granting Extension of Time of Plaintiffs until Nov. 29, 1976, to file its Response to Defendant's Objections, filed. nb (HDC-J) cps mld
12-1	74.	Defts' resp. to pltfs' motion to substitute parties, filed. ph
12-1	75.	Defts' resp. to pltfs' request for judicial notice, filed. ph
12-2	75A.	Desig. of portions of dep. of Jerry R. Berryman defts. offer into evid. h
12-3	MO:	Non-jury trial continued on Dec. 2&3, 1976. Pltf. continues presenting case in chief w/test. of witnesses & introduction of exhibits. Pltf. offers answers to interrog. of those pltfs. not called as witnesses. Court admits into evid. those answers to interrog. not objected to & directs deft. to prepare objections thereto by 12-6-76. Pltf's motion for substitution of parties sustained. Court rules that question of judicial notice of prior litigation is accepted as to the filing of previous case, but not as to its materiality to this case. Pltf. rests. Defts' mo/dismissal denied. Deft. presents case in chief

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PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-454</u>
WERTHEIM & CO. , et al		CODDING EMBRYOLOGICAL SCIENCES et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
		w/test. of witnesses & introduction of exhibits. Deft. offers certain parts of deposition of Dr. Jerry R. Berryman into evid. During test. of Don Coddington, deft's request to invoke the rule is denied. Deft. rests. Pltf. presents rebuttal evid. w/test. of witness. Pltf. offers entire rest of depos. of Jerry R. Berryman not offered by deft. Deft. objects & allowed to file written objections thereto. Pltf's offer of entire depos. of John Hanes, objected to & denied by the Court. Pltf. rests. Parties rest. Parties directed to submit suggested F/F & C/L, briefs and written arguments within 15 days from receipt of transcript of trial; and given 10 days thereafter to respond if desired. Final arguments to be set after that time if requested. (HDC-J)hm	
12-3		Trial exhibits, filed. (in box in exhibit room)	
12-13	76.	Joint appl. for addit. time to file addit. evidence and obj. to evidence, filed. ph <i>duy</i>	
12-16	77.	Order, filed, granting parties until 12-22-76 to file addit. evid. & obj. to evid. (HDC-J)hm (copies mailed)	
12-21	78.	Mot. of Frederick A. Klingenstein for Substitution of Party Plaintiff, fld. v (o)	
12-21	79.	Order, filed, that Frederick A. Klingenstein, an executor of estate of Joseph A. Klingenstein is hereby substituted as a party pltf. in place of Joseph A. Klingenstein, deceased. (HDC-J)ph cps mld	
12-27	80.	Obj. of defts. to the offer of the testimony by interrogs. of all pltfs. except Balser, Manweiler, Wertheim & Co., and Hanes, filed. ph	
12-27	81.	Obj. of the defts. to the offer of the Testimony of Jerry R. Berryman by deposition, filed. ph	
<u>1977</u>			
1-6	82.	Application of pltf. for ext. of time to file response to defs. objs., filed. rm	
1-7	83.	Order granting ext. of time, filed, granting pltf. until 1-14-77 to file response to defts' objections. (HDC-J)hm (copies mailed)	
1-14	84.	Pltf. responses to defs. objs. to pltfs. offer of deposition testimony of Jerry R. Berryman, filed. rm	
1-14	85.	Pltfs. responses to defs. objs. to pltfs. offer of their ans. to certain interrog. propounded by defs., filed. rm	
1-26	86.	Reply of defts. Donald Coddington and Charles Coddington in ans. to pltfs' resp. concerning the defts' obj. to ans. to interrogs, filed. ph	
3-7	--	Transcript of proceedings had on 11-16, 17, 18 and 19, 1976 <i>Dec. 22, 1976</i> Nonjury Trial, filed. ph (3 volumes)	
3-22	87.	Joint appl. for addit. time to file suggested F/F and C/L and briefs in support, filed. ph (O to J)	
3-24	88.	Order, filed, that pltfs. and defts. are granted until 4-6-77 to file suggested f/f and c/l and any addit. briefs. (HDC-J)ph cps mld	
4-6	89.	Joint appl. for addit. time to file suggested F/F and C/L and briefs in support thereof, filed. ph (O to J)	
4-8	90.	Order, fld., that Pltfs. & Defts. are granted until 4-13-77 to file suggested findings and conclusions of law & any additional briefs. (HDC-J)v -cps. mld.	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-454</u>
WERTHEIM & CO., et al		CODDING EMBRYOLOGICAL SCIENCES, et al	PAGE <u>7</u> OF <u>4</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1977</u>			
4-13	91.	Pltf's proposed F/F and C/L, filed. ph	
4-13	92.	Pltfs' post-trial memo. of law, filed. ph	
4-13	93.	Defts' proposed F/F and C/L, filed. ph	
4-13	94.	Defts' brief in support of F/F and C/L, filed. ph	
4-25	95.	Response of Defendants to Plaintiffs' proposed F/F & C/L, filed.k	
4-25	96.	Pltfs' appl. for time til 5-9-77 to reply to defts' F/F & C/L and Brief in support, filed.k O to J	
4-26	97	Order, fld. granting Pltfs'. an ext. of time until 5-9-77 to file their reply to Defts. F/F & Concl. of Law & brief is supp. thereof. (HDC-J) cps mld. ho	
5-9	98.	Pltfs. reply to defts. proposed FF/CL, filed. rm	
5-9	99.	Pltfs. post-trial reply brief, filed. rm	
5-9	100.	Deft. response to pltf. post-trial memo of law, filed. rm	
5-17	--	Copy of letter from Victor Muskin, pltf. counsel, to Gene L. Mortensen, deft. counsel, re procedure of deft. counsel, filed. ph	
5-27	101.	Pltfs' supplemental resp. to defts' proposed F/F, filed. ph	
10-11	102.	Order, filed, overruling in part/sustaining in part deft's objections to offer of test. of Elliott, Lida, Vincent & Berryman. (HDC-J)hm (copies mailed)	
10-26	103.	Order, filed, that objections of defts. to the offer of the test. by interrogs. of all pltfs. except Balser, Manweiler, Wertheim & Co. and Hanes, overruled in part/sustained in part. (HDC-J)ph cps mld	
5-15-78	104.	Judgment, filed and entered, that judgment be entered in favor of defts. and against pltfs. (HDC-J)ph cps mld	
5-15	105.	Judgment memorandum, filed and entered, that judgment shall be entered in favor of defts. (HDC-J)ph cps mld	
5-25	106.	Bill of costs, filed by Donald K. Coddington and Charles Coddington in amount of \$1,906.03, setting hearing before Clerk on 6-14-78 at 10:30 a.m. ph	
6-12	107.	Obj. by pltfs. to bill of costs of defts., filed. rm	
6-12	108.	Brief in support of objs., filed. rm	
6-14	109.	Defts' brief in oppos. to pltfs' obj. to bill of costs, filed. ph	
6-14	--	Bill of costs, filed and taxed, in amt. of \$1,338.53 in favor of defts and against pltfs. (JCS-CC)ph	
6-14	110.	Notice of appeal by pltfs. from judg. of 5/15/78, filed. rm (COPIES to USCA and deft. counsel)	
6-15	111.	Bond for costs on appeal (\$250 cash), filed. rm	
6-16	112.	Motion by defts. to review costs not assessed by Ct. Clerk and supporting brief, filed. rm	
6-19	MO:	Ordered by the Ct. that pltfs. are granted 10 days from this date to respond to defts. mo/review costs taxed by Clerk. (HDC-J)rm-letter	
6-27	113.	Pltfs. response to defts. mo/review costs not assessed by clerk, filed.	
7-24	----	Orig. appeal record (15 vols)transmitted to USCA.rm	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-454-C</u>
Wertheim & Co.		Codding Embryological	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
<u>1978</u>			
7-25	---	Letter from 10th Circuit, assigning No. 78-1569. rm	
8-25	114.	Order, filed, that defts' mo/review costs not assessed by Court Clerk is overruled. (HDC-J)hm (copies mailed)	
10-2	115	Stipulation of parties regarding supersedeas bond, W/ORDER allowing pltf-appellants to file in this Court a bond superseding judgement for assessment of costs pending appeal to stay execution of judgement in the sum of \$2,000.00 with corporate surety thereon.(HDC -J)ra	
10-2	116	Supersedeas bond in amt. of \$2,000.00 fld. ra	
11-24	117	Order from 10th Circuit, filed, directing Clerk to prepare suppl. record on appeal to include pltf. Exh. 50. rm	
11-24	--	Suppl. Vol. I transmitted to 10th Cir. rm	
5-27-80	118	MANDATE & OPINION from Tenth Circuit spread of record, affirming judgment of 5-15-78. hm	
6-2	---	ORIGINAL APPEAL RECORD received from 10th Cir. rm	
7-29	--	EXHIBITS & DEPOS. given to deft. counsel. hm	
8-28	--	EXHIBITS & DEPOS. given to pltf. counsel. hm	
<u>1982</u>			
4-27	119	APPLICATION of pltf for O disbursing the \$250.00 cash bond to pltf through its attys.(O as part of app to J)jc	
4-29	---	ORDER that Clk pay the \$250.00 cash appeal bond to depositor, Jones, Givens, et al. (HDC-J) jc (c/atty)	
<u>1983</u>			
3-2	--	EXHIBITS & DEPOSITIONS returned to parties. hm	